

REMARKS

The Applicant respectfully requests reconsideration and Allowance of Claims 1-20 in view of the amendments above and the following arguments.

CLAIM OBJECTIONS

Claims 7-10 were objected to under 37 CFR 1.75 upon the grounds that should claims 2-5 be allowed the Examiner believed claims 7-10 to be "substantial duplicates thereof."

Applicant respectfully disagrees for the reason that independent claim 7 is written in "means plus function" format with all the attendant ramifications thereof and therefor claim 7, along with dependent claims 8-10, are not substantial duplicates of claims 2-5. Applicant, therefor, respectfully requests that this objection be withdrawn and the claims allowed.

35 U.S.C. §102 REJECTIONS

Claims 1-5 and 7-20 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,547,830 to Mercer ("Mercer").

Claims 1-20 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,633,401 to Kojima ("Kojima").

35 U.S.C. §103 REJECTIONS

Claim 6 was rejected under 35 U.S.C. §103(a) as obvious over Mercer in view of U.S. Patent 6,670,968 to Schilit et al. ("Schilit").

STATUS OF THE CLAIMS

Claims 1-20 remain pending in this case.

Independent Claims 1, 7, 11 and 16 have been amended to add the limitation of predetermined high level rules wherein said predetermined high level rules are applied evenly until met. Further, these claims require, among other things that said predetermined high level rules include a fail safe rule that ensures a guaranteed

output when all said predetermined rules can not be met. These amendments represent clarifications and do add further limitations to the respective claims.

CLAIMS 1-20 ARE NOT ANTICIPATED BY THE CITED ART.

The Examiner rejected claims 1-5 and 7-20 under 35 U.S.C. § 102 as anticipated by Mercer. Claims 1-20 were rejected under 35 U.S.C. § 102 as anticipated by Kojima. Applicant respectfully traverses these rejections on the ground that neither Mercer nor Kojima discloses, or suggests, a predetermined set of high level rules that are applied evenly until the rules are met. Further, none of the cited art discloses or suggests a fail safe rule that ensures a guaranteed output when all the predetermined rules can not be met.

THE MERCER PATENT

Mercer discloses a software program that converts data to easily viewable text to be provided to small displays. The software includes a method to reduce the distance between characters, both horizontally and vertically, and which proportionately reduces the font size and substitutes fonts with easily readable fonts. (See e.g. the Abstract). These functions are applied sequentially one after the other. (See e.g. Column 6, lines 35-67) Further, the process ends upon determination that a character is the last character, otherwise the process repeats. (See e.g. Column 7, lines 61-65).

No disclosure is made or suggested of a predetermined set of high level rules that execute evenly, ie at the same time, in order to accomplish the rule objective. Nor is there any disclosure or suggestion of a fail safe rule that ensures a guaranteed output when all the predetermined rules can not be met.

As a result, Applicant respectfully requests that the rejection of claims 1-5 and 7-20 under 35 U.S.C. § 102 as anticipated by Mercer be reconsidered, withdrawn and the claims allowed.

THE KOJIMA PATENT

The Kojima patent discloses a device for creating compressed intermediate data from a received communication based on a "sheet-saving" format such that upon receiving a print command the sheet saving image is printed thus saving paper/sheets. (See e.g. the Abstract). In every case, upon receipt of data the received data is processed into intermediate data based on the corresponding sheet-saving print format. (See, e.g. column 4, lines 57-65.).

No disclosure is made or suggested of a predetermined set of high level rules that execute evenly, ie at the same time, in order to accomplish the rule objective. Nor is there any disclosure or suggestion of a fail safe rule that ensures a guaranteed output when all the predetermined rules can not be met.

As a result, Applicant respectfully requests that the rejection of claims 1-20 under 35 U.S.C. § 102 as anticipated by Kojima be reconsidered, withdrawn and the claims allowed.

Claim 1

In contrast to the technique of Mercer and/or Kojima, Applicant's independent Claim1 (as well as independent Claims 7, 11 and 16) as now more particularly claimed is directed, in pertinent part, to the creation of processed data in accordance with predetermined high level rules which are applied evenly until the rule is met. (See, e.g. page 6, lines 30-32 and page 7, lines 1-2). That is, if data does not meet the user's rules the form engine 14 starts modifying the values until the high level rules are met. When there are multiple prioritized data elements, they are backed off evenly until the high level rules are met.

Further, if the data does not fit the predetermined design after all the high level rules have been evenly applied, the data is formatted in accordance with a failsafe rule to ensure a guaranteed output. (See, e.g. page 6, lines 14- 16 and also page 7, lines 2-5).

No such system is disclosed or suggested whatsoever by Mercer and/or Kojima either alone or in combination. Applicant discloses and claims in independent claims 1, 7, 11 and 16 the application of predetermined high level rules evenly and not in sequence. Further, Applicant's invention requires that the rules include a fail safe rule after all others that ensures a guaranteed output.

THE SCHILIT PATENT

The Examiner cited the Schilit patent or the purpose of rejecting dependent claim 6. Applicant concedes that Schilit does disclose a printer but disagrees that the combination of Schilit and Mercer discloses and/or suggests Applicant's invention as now claimed as set forth above in detail. As a result, Applicant respectfully requests that the rejection be withdrawn and the claim allowed.

CONCLUSION

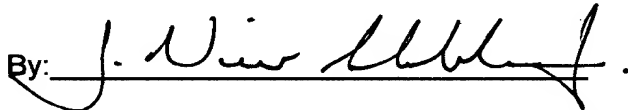
In light of the above, Applicant respectfully requests reconsideration and allowance of Claims 1-20. If the Examiner should feel that any issue remains as to the allowability of these claims, or that a conference might expedite allowance of the claims, the Examiner is asked to telephone the undersigned attorney.

Applicant intends this to be a complete response. No fee is believed due; however if a fee is due, please charge deposit account number indicated on the transmittal letter.

Respectfully submitted,

J. Nevin Shaffer, Jr., P.A.

Date: 12 Oct 04

By: 

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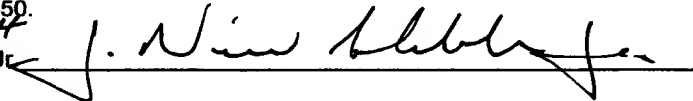
ATTORNEY FOR APPLICANT

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit: 12 Oct 04

Reg. No. 29,858, J. Nevin Shaffer, Jr.



DRAWING AMENDMENTS

Please amend the drawings as follows in accordance with the Revised Format of Amendments under 37 C.F.R. § 1.121.

In Sheet one, Figure 1, please accept the proposed amendment of the Figure wherein "connection 23" has been properly identified by the appropriate numeral 23. A proposed drawing correction is submitted for the Examiner's approval. A replacement sheet is provided herewith as well.



FIGURE 1

1/2

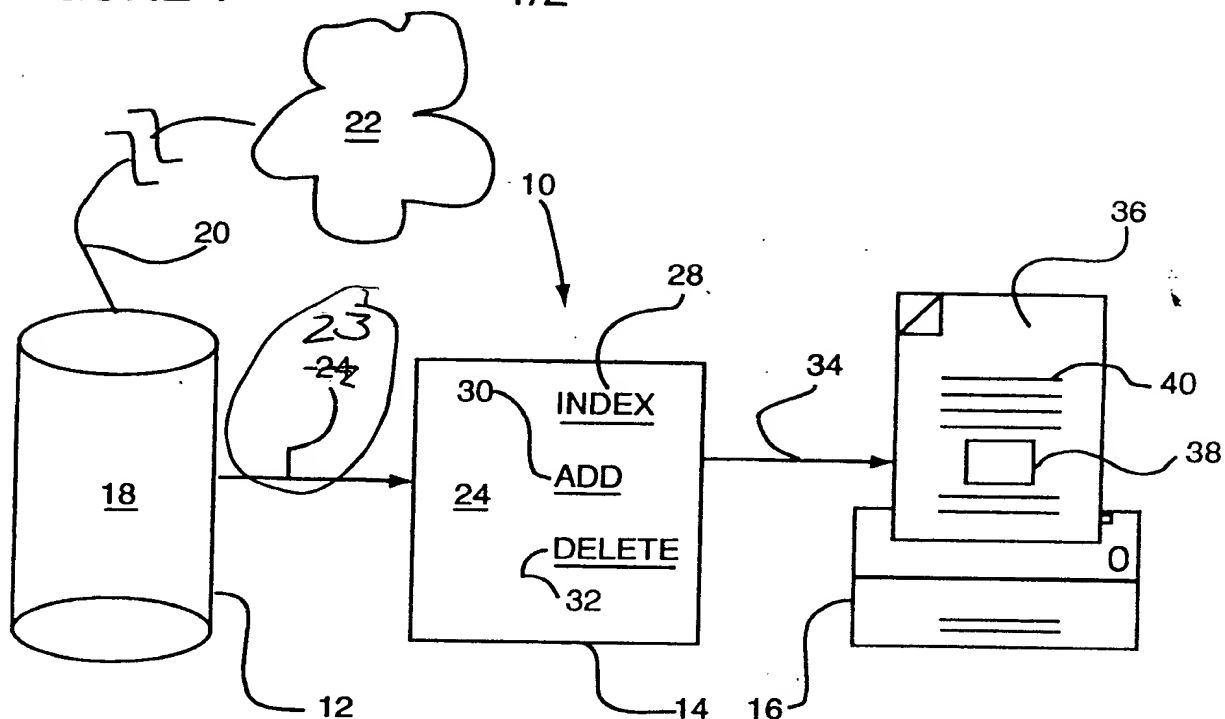


FIGURE 2

